

E-filed 1/18/08

BARRY J. PORTMAN
Federal Public Defender
LARA S. VINNARD
Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
San Jose, CA 95113
Telephone: (408) 291-7753
Counsel for Defendant BERGSTRAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-70709 HRL (PVT)
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING; ORDER
v.)	
)	
DAVID LOUIS BEHAR, LINDSAY ROBIN)	
HOGUE, TARA BERGSTRAND, and JOHN)	
ROGER LAGACE)	
)	
Defendants.)	
)	

STIPULATION

Defendants and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing date in the above-captioned matter, presently scheduled for Thursday, January 24, 2008, at 9:30 a.m., be continued to Thursday, February 7, 2008, at 9:30 a.m. The continuance has been requested in order to allow each defense counsel an opportunity to review new discovery and discuss the matter with their client. Furthermore, the government may provide settlement offers after considering issues and arguments raised by the defendants.

The parties further agree and stipulate that time should be excluded from their respective currently scheduled preliminary hearing date: January 24, 2008 through and including February 7, 2008, for ongoing defense preparation, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(a)

1 and (B)(iv). Accordingly, the United States and the defendant agree that granting the requested
2 exclusion of time will serve the interest of justice and outweigh the interest of the public and
3 defendant in a speedy trial.

4 DATED: January 17, 2008

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6 /s/
LARA S. VINNARD
Assistant Federal Public Defender

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8 /s/
PETER LEEMING
Attorney for Mr. Behar

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10 /s/
GEOFFREY BRAUN
Attorney for Ms. Hogue

11
12 /s/
JERRY Y. FONG
Attorney for Mr. Lagace

13
14 /s/
JEFF SCHENK
Assistant United States Attorney

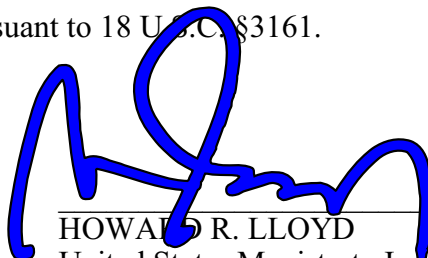
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16
17 **ORDER**

18 The parties have jointly requested a continuance of the hearing set for January 24, 2008.

19 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
20 presently set for January 24, 2008, be continued to February 7, 2008, at 9:30 a.m. as well as the
21 period of delay from January 24, 2008, to and including February 7, 2008, be excluded for
22 purposes of Speedy Trial Act computations pursuant to 18 U.S.C. §3161.

23 IT IS SO ORDERED.

24
25 Dated: 1/18/08

26 
HOWARD R. LLOYD
United States Magistrate Judge